



Municipal Regional Permit Reissuance Update

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San Mateo Countywide Water
Pollution Prevention Program



C/CAG Board of Directors
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What is the MRP?

- Permit issued under federal and state water quality laws that enable the discharge of stormwater
- Regulates agencies that own or operate storm drain systems (cities, counties, special districts)
- Covers San Mateo, Santa Clara, Alameda, Contra Costa, and parts of Solano Counties
- Issued for five-year terms per federal law
- Covers all aspects of how stormwater may become polluted

MRP 2.0

- MRP was first issued in 2009 (prior to that, permits were countywide)
- MRP 2.0 issued in 2015, expired at end of 2020, administratively extended until reissuance
- Entire permit document is 350 pages (~150 of requirements)
- Key provisions: new/redevelopment/green infrastructure, monitoring, trash, mercury and PCBs

MRP 3.0

- Administrative Draft released February 9
- Comments due April 8
- Tentative schedule:
 - Public review draft (Tentative Order) in summer
 - Water Board testimony hearings in summer
 - Water Board adoption hearing December 2021
 - Effective date: July 1, 2022

Administrative Draft

- Only includes requirements, minus monitoring provision (no fact sheet, appendices)
- ~180 pages, likely ~200 pages with monitoring (meaning ~50 pages of new requirements)
- Four relevant new provisions
 - San Mateo County Rural Roads
 - Homeless Encampments
 - Cost Reporting
 - Asset Management

Provisions

- C.1. Compliance with Discharge Prohibitions and Receiving Waters Limitations
- C.2. Municipal Operations
- C.3. New Development and Redevelopment
- C.4. Industrial and Commercial Site Controls
- C.5. Illicit Discharge Detection and Elimination
- C.6. Construction Site Control
- C.7. Public Information and Outreach
- C.8. Water Quality Monitoring (Not Included in this Draft)
- C.9. Pesticides Toxicity Control
- C.10. Trash Load Reduction
- C.11. Mercury Controls
- C.12. Polychlorinated Biphenyls (PCBs) Controls
- C.13. Copper Controls
- C.14. Bacteria Control for Impaired Water Bodies
- C.15. Discharges Associated with Unsheltered Homeless Populations
- C.16. San Mateo County Sediment Controls
- C.17. Exempted and Conditionally Exempted Discharges
- C.18. Discharges to Areas of Special Biological Significance
- C.19. Cities of Antioch, Brentwood, and Oakley, Unincorporated Contra Costa County, and the Contra Costa County Flood Control and Water Conservation District Requirements (Not Included in this Draft)
- C.20. The City of Petaluma
- C.21. Cost Reporting
- C.22. Asset Management
- C.23. Annual Reports

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New/Redevelopment & GI

- Expanding requirements for stormwater treatment
 - Impervious add/replace drops from 10,000 sq. ft. to 5,000
 - Single-family homes that add/replace 10,000 sq. ft.
 - Roadway reconstruction that disturbs 1 acre of impervious
- Exemptions for TOD now limited to affordable housing, with prescriptive definitions
- Mandatory green infrastructure retrofit requirement (Acres of impervious area treated by GI)

Acres of GI Treatment

- Atherton: 2
 - Belmont: 2
 - Brisbane: 2
 - Burlingame: 6
 - Colma: 2
 - Daly City: 10
 - East Palo Alto: 6
 - Foster City: 6
 - Half Moon Bay: 2
 - Hillsborough: 2
 - Menlo Park: 6
 - Millbrae: 2
 - Pacifica: 6
 - Portola Valley: 2
 - Redwood City: 10
 - San Bruno: 6
 - San Carlos: 6
 - San Mateo: 10
 - South San Francisco: 6
 - Woodside: 2
 - San Mateo County: 6
- TOTAL: 102 Acres**

Trash

- 90% reduction by July 2023
- 100% reduction by July 2025
- Credits for existing source control (bag bans and polystyrene foam bans) go away
- New source control credits only for 90%
- Offset credits for cleanups and source control credits phase out at 100% date
- Maintenance of trash devices would have to increase to meet new requirements

Mercury & PCBs

- Programmatic implementation with accountability metrics
 - Source property identification and abatement
 - Treatment control measures in old industrial areas
 - PCBs in stormwater infrastructure
 - PCBs from electrical utilities
 - PCBs in demolition waste

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Treatment in Old Industrial

- Calls for treatment (GI, diversion to treatment plants, enhanced O&M) in 10% of old industrial areas that aren't already redeveloped or treated
- 4,450 acres specified for San Mateo County
 - Means treating 445 acres with GI or other means in addition to or conjunction with New/Redevelopment/GI requirements

Cost of GI Treatment

- Average cost to treat one acre:
 - Green streets: ~\$250k
 - Regional facility: ~\$100k
- For GI (102 acres):
 - \$10-25 million
- For PCBs (445 acres):
 - \$44-111 million



SM Specific Provisions

- San Mateo County Rural Roads
 - Focused on Pescadero/Butano and San Gregorio Creeks
- Bacteria
 - May apply to all permittees that contribute to bacteria
 - Pacifica & SM County: Pacifica Beach/San Pedro Creek
 - City of San Mateo: Marina Lagoon
 - HMB & SM County: Pillar Pt. Harbor/Venice Beach
- Discharge to Area of Special Biological Significance
 - Existing provision, SM County (Fitzgerald Reserve)

Unsheltered Homeless Populations

- Focused on addressing non-stormwater discharges associated with unsheltered/encampments
 - Map populations
 - Share information on stormwater control measures
 - Report on effectiveness

Firefighting Water & Foam

- Assess adequacy of containment and cleanup measures
- Training required for all private contractors
- Report on opportunities to reduce impacts of emergency discharges
- Use of the least environmentally harmful firefighting foams
- Limiting which fires are treated with foam
- Ensuring the proper foam is used for type of fire
- Limiting the amount of foam used
- Discouraging foam when discharges to sensitive receiving waters
- Report 5+ gallons of emergency foam concentrate usage

Cost Reporting

- New provision
- Cost reporting framework by December 31, 2022
- Annual fiscal analyses starting in 2024
- Concerns with timeframe and prescriptiveness of reporting costs for specific categories, which vary among municipalities

Asset Management

- New provision
- Develop Asset Management Plan by June 2025
- Focused on water quality assets: GI and Trash devices, but both public and private
- Implement – FY 2025/26
- Climate change adaption plan – 2027 – assess threats from climate change to the condition of assets over the next 50 years and identify approaches to address those threats
- Assessing performance level and condition problematic. Instead: assess built and maintained correctly.

Summary

- Many changes throughout, “Death by 1,000 Cuts”
- Proposal to regulate roadway reconstruction, mandatory GI treatment, trash, and old industrial area treatment could cost tens of millions
- Working with SW Committee and subcommittees to develop comments
- First step in reissuance process, hopefully significant improvement in Tentative Order in summer
- Inevitable that compliance costs will increase, C/CAG and member agencies need to consider options



Questions?

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